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PLEASE REPLY TO:

May 6, 2005

[New Castle County-Civil Division]

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
844 N. King Street
Lock Box 27
Wilmington, DE 19801

Re: Carter v. Taylor, et al.
Civil Action No. 99-757-JJF

Dear Judge Farnan:

I am in receipt of Your Honor's recently issued Scheduling Order in the above-captioned matter in which a proposed three day jury trial is tentatively scheduled to begin on June 10, 2005. Unfortunately, for the reason set forth below, I must respectfully request that Your Honor postpone the scheduled trial.

When reviewing my calendar in light of the proposed trial date, I discovered to my chagrin that the trial will conflict with a religious observance. As a result, I will be out of the office for two of the days in question and unable to participate at trial or even perform any tasks related to same.

In addition, I wish to note that given my other duties associated with my position as attorney to the Director of the State's Division of Revenue, I had requested and obtained the appointment of another Deputy Attorney General, Aaron Goldstein, to assist in conducting the trial. Given his background, experience and, most importantly, schedule, Mr. Goldstein was the only available Deputy who could become involved with this case on relatively short notice. Unfortunately, he will also be unavailable on the dates in question due to the same religious observance.

Accordingly, and with much regret, we respectfully request the Court's indulgence and ask that the trial be postponed to the next mutually agreeable (and

The Honorable Joseph J. Farnan, Jr.
May 6, 2005
Page 2

available) date. The undersigned recognizes the lengthy history of the instant matter and the concern of both the parties and Your Honor as to this further unforeseen delay. However, Mr. Goldstein and I are willing to provide Your Honor with a list of those additional dates in the next few months on which we would be unavailable due to previously scheduled matters or other conflicts. That should hopefully enable us to avoid another unfortunate situation as the present one.

Please be further advised that we have not had an opportunity to discuss the above with Mr. Carter. In all honesty, we suspect he might not be amenable to our request but we believe that he shares the same ethical and moral positions and in light of same, would allow mutually Your Honor to reschedule to the next possible date that our respective calendars would permit.

Accordingly, Mr. Goldstein (who will be entering his appearance) and I join in respectfully requesting that the Pre-Trial Conference and Trial tentatively scheduled for June 2nd and June 10th respectively be postponed and a subsequent conference held for the purpose of establishing new Pretrial and Trial dates absent any possible settlement.

Thank you for your consideration of this request and continuing cooperation and patience throughout the pendency of this matter. I remain.

Respectfully,

/s/ Stuart B. Drowos

Stuart B. Drowos
Deputy Attorney General

SBD/lc

Cc: Mr. Sherman Carter
Clerk of the Court
Stan Taylor, Commissioner
Robert Snyder
Rebecca McBride
Aaron Goldstein, DAG